

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

L9289.05133

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/535425**

INTERNATIONAL APPLICATION NO.  
PCT/JP2004/011940

INTERNATIONAL FILING DATE  
August 13, 2004

PRIORITY DATE CLAIMED  
August 22, 2003

**TITLE OF INVENTION**

**RADIO COMMUNICATION METHOD, RADIO COMMUNICATION SYSTEM, RADIO BASE STATION APPARATUS, AND COMMUNICATION TERMINAL APPARATUS**

**APPLICANT(S) FOR DO/EO/US**

**Toshiyuki UEHARA, Katsuyoshi NAKA  
Akihiko NISHIO and Kenichi MIYOSHI**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

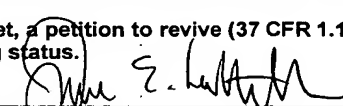
1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

**Claim for Priority with PCT/IB/304  
PCT/IB/308; PCT/RO/101  
Partial Application Data Sheet**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. <b>10/535425</b> <small>(37 CFR 1.5)</small>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/011940</b>		ATTORNEY'S DOCKET NUMBER <b>L9289.05133</b>		
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>	
24. <input checked="" type="checkbox"/> Basic national fee ..... \$300				\$ 300.00		
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ..... \$100 All other situations. .... \$200				\$ 200.00		
26. <input checked="" type="checkbox"/> Search fee ..... Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations. .... \$500				\$ 500.00		
<b>TOTAL OF 24, 25 and 26 =</b>				<b>\$ 1,000.00</b>		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE			
- 100 =	0	/50 =	0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	15	- 20 =	0	x \$50.00	\$ 0.00	
Independent claims	6	- 3 =	3	x \$200.00	\$ 600.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$ 0.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,600.00</b>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00		
<b>SUBTOTAL =</b>				<b>\$ 1,600.00</b>		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00		
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,600.00</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 40.00		
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,640.00</b>		
				Amount to be	\$	
				Amount to be	\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$ <b>1,640.00</b> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>19-4375</b> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO: <b>James E. Ledbetter</b> <b>STEVENS, DAVIS, MILLER &amp; MOSHER, LLP</b> <b>1615 L. Street, NW, Suite 850</b> <b>Washington, DC 20036</b>						
				SIGNATURE  <b>James E. Ledbetter</b>		
				NAME <b>28,732</b>		
				REGISTRATION NUMBER		